



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire City staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet the first four Mondays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda.

5:00 p.m. session [Order of business]

- Invocation and Pledge of Allegiance
- Presentations
- Summary of Current Events
- Liquor license applications
- Consent Agenda
- Meeting will recess until 6:00 p.m.

6:00 p.m. session

- Call to the Audience. Individuals may speak up to three minutes. Call to the Audience will be limited to thirty minutes. Speakers may address any matter except items noticed as a Public Hearing.
- Public Hearings. Individuals may speak up to five minutes. Each public hearing is limited to one hour.
- Other Mayor and Council business as listed on the agenda for the meeting.

Copies of the agenda are available during the meeting. Additionally, the agenda, as well as reference documents, are available in the City Clerk's office prior to each meeting and on the City's web site. www.cityoftucson.org/agdocs

Ordinances and resolutions (the laws of Tucson) are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

To better serve everyone in the community, the Mayor and Council chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

PARTICIPATION BY THE PUBLIC

As a courtesy to others, please turn off or put in vibrate mode all pagers and cell phones.

To address the Mayor and Council:

- Complete a speaker's card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700 or write the City's Web Site, www.cityoftucson.org. Your comments will be transcribed and distributed to the Mayor and Council.

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk.

Robert E. Walkup – Mayor
Fred Ronstadt – Vice Mayor

Council Members

José J. Ibarra **Ward 1**
Carol W. West **Ward 2**
Kathleen Dunbar **Ward 3**

Shirley C. Scott **Ward 4**
Steve Leal **Ward 5**
Fred Ronstadt **Ward 6**

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TDD: 791-2639, FAX: 791-4017 or WEB SITE: www.cityoftucson.org/agdocs), 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday through Friday, 8:00 a.m. to 5:00 p.m. [holidays excepted]. Live coverage of the meeting is cablecast on Tucson 12 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:
Tuesdays – 9:00 p.m. Wednesdays – 9:00 a.m. Sundays – 9:00 a.m.
VHS tapes of meetings are available at the Tucson Main Library, 101 N. Stone.



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

MONDAY, MARCH 22, 2004 – 5:00 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Bishop Thomas W. Nelson, Binghampton Ward, Church of Jesus Christ of Latter-day Saints

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

- (a) Proclamation – Proclaiming April 8 through 11, 2004 to be Spring Fling Days
- (b) Presentation of Certificates of Excellence in Financial Reporting to the Finance Department.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager MARCH22-04-134 CITY-WIDE

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

- (a) Report from City Manager MARCH22-04-135 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

- (a) Report from City Manager MARCH22-04-127 CITY-WIDE
- (b) LIQUOR LICENSE APPLICATION(S)

New License(s)

- | | |
|---|---|
| (1) TARGET #855
6500 E. Grant Road
Applicant: Robert J. Benton
City #009-04, located in Ward 2
Series #10
Action must be taken by: April 1, 2004 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
| (2) TARGET #1863
9615 E. Old Spanish Trail
Applicant: Robert J. Benton
City #010-04, located in Ward 2
Series #10
Action must be taken by: April 1, 2004 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |

PUBLIC OPINION: PROTESTS FILED

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| (3) EL TACO TOTE REAL MEXICAN GRILL
1340 N. Wilmot Road
Applicant: Martin Jeffers
City #011-04, located in Ward 2
Series #12
Action must be taken by: April 4, 2004 | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance
Bus. License: In Compliance |
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NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

(c) Special Event(s)

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| (1) ST. MICHAEL'S PARISH DAY SCHOOL'S
FRIENDS OF SAINT MICHAEL'S
602 N. Wilmot Road
Applicant: Elizabeth R. Whitthorne
City #T015-04, located in Ward 2
Date of Event: April 24, 2004
(Fundraising for the school) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |
| (2) ST. AMBROSE SCHOOL
300 S. Tucson Blvd.
Applicant: Mary Alice Eckstrom
City #T021-04, located in Ward 6
Date of Event: March 27, 2004
(Raise funds for Pre-School Playground Equipment) | <u>Staff Recommendation</u>

Police: In Compliance
DSD: In Compliance |

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| <p>(3) TUCSON BREAKFAST LIONS CLUB
 4823 S. 6th Avenue
 Applicant: Wayne F. Locke
 City #T026-04, located in Ward 5
 Date of Event: April 2, 2004
 April 3, 2004
 (Fundraiser)</p> | <p><u>Staff Recommendation</u>

 Police: In Compliance
 DSD: In Compliance
 Parks & Rec.: In Compliance</p> |
| <p>(4) TUCSON METROPOLITAN COMMUNITY
 CHORUS dba DESERT VOICES
 516 N. 5th Avenue
 Applicant: Rebecca H. Cohen
 City #T030-04, located in Ward 6
 Date of Event: April 3, 2004
 (Fundraising-Cabaret Production & Silent Auction)</p> | <p><u>Staff Recommendation</u>

 Police: In Compliance
 DSD: In Compliance</p> |

PUBLIC OPINION: PROTESTS FILED

6. CONSENT AGENDA ITEMS A THROUGH N

A. GRANT APPLICATION: TO ARIZONA STATE PARKS FOR A HISTORIC PRESERVATION PLAN

- (1) Report from City Manager MARCH22-04-133 CITY-WIDE
- (2) Resolution No. 19795 relating to historic preservation; authorizing and approving the application to Arizona State Parks for a Historic Preservation Plan including a context study for Post-WW II housing in the City of Tucson; and declaring an emergency.

B. FINAL PLAT: (S04-007) CONNIE CHAMBERS NORTH LOT 1 TO 9 AND LOT A

- (1) Report from City Manager MARCH22-04-131 W5
- (2) The City Manager recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

C. ASSURANCE AGREEMENT: (S02-040) DREXEL MANOR SUBDIVISION LOTS 1 TO 137 AND COMMON AREAS “A” AND “B”

- (1) Report from City Manager MARCH22-04-129 W5
- (2) Resolution No. 19796 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with approval in Case No. S02-040 of a final plat for the Drexel Manor Subdivision, Lots 1 to 137 and Common Areas “A” and “B”; and declaring an emergency.

D. FINAL PLAT: (S02-040) DREXEL MANOR SUBDIVISION LOTS 1 TO 137 AND COMMON AREAS “A” AND “B”

- (1) Report from City Manager MARCH22-04-130 W5
- (2) The City Manager recommends that, after the approval of the Assurance Agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

E. FINANCE: CONTINGENCY FUND TRANSFER FOR THE FIRST ANNUAL SARA COURTNEY MEMORIAL WALK/RUN

- (1) Report from City Manager MARCH22-04-136 CITY-WIDE
- (2) Resolution No. 19797 relating to finance; approving and authorizing the transfer of One Thousand Dollars (\$1,000) from the contingency fund to Organization 001-183-1838-268, for the 1st Annual Sara Courtney Memorial Walk/Run; and declaring an emergency.

This is a request by Council Member Dunbar. Allocation of funds is as follows:
Council Member Dunbar: \$1,000.00.

F. TUCSON CODE: AMENDING (CHAPTER 10A) ESTABLISHING A POLICY FOR THE CREATION OF BOARDS, COMMITTEES AND COMMISSIONS

- (1) Report from City Manager MARCH22-04-137 CITY WIDE
- (2) Ordinance No. 9943 relating to Boards, Committees and Commissions; establishing certain requirements for the establishment and continuation of certain Boards, Committees and Commissions; providing for staff assistance to Boards, Committees and Commissions; requiring Mayor and Council approval for outside funding of Boards, Committees and Commissions; and declaring an emergency.

G. AMENDED FINAL PLAT: (S02-007) COYOTE PASS, LOTS 1 TO 23, COMMON AREAS “A” AND “B” AND BLOCKS “A”, “B”, “C”, “D” AND “E”

- (1) Report from City Manager MARCH22-04-138 W1
- (2) The City Manager recommends that the Mayor and Council approve the amended final plat as presented. The Development Services Director recommends approval of the amended final plat. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

H. AMENDED FINAL PLAT: (S01-034) STARR PASS VISTAS, BLOCKS 1, A, B, C, D, E, F1, F2, F3 AND COMMON PROPERTIES A, B AND C

- (1) Report from City Manager MARCH22-04-139 W1
- (2) The City Manager recommends that the Mayor and Council approve the amended final plat as presented. The Development Services Director recommends approval of the amended final plat. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

I. GRANT APPLICATION: TO ARIZONA STATE PARKS ON BEHALF OF THE DIOCESE OF TUCSON FOR EMERGENCY STABILAZATION OF THE HISTORIC MARIST COLLEGE BUILDING

- (1) Report from City Manager MARCH22-04-140 W6
- (2) Resolution No. 19798 relating to historic preservation; authorizing and approving the application to Arizona State Parks on behalf of the Diocese of Tucson for emergency stabilization of the Historic Marist College Building; and declaring an emergency.

J. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE HOME INVESTMENT PARTNERSHIP SUBRECIPIENT PROGRAM

- (1) Report from City Manager MARCH22-04-143 CITY-WIDE
- (2) Resolution No. 19799 relating to Intergovernmental Agreements; authorizing and approving the execution of an Amendment to the Home Investment Partnership Subrecipient Program Intergovernmental between the City of Tucson and Pima County; and declaring an emergency.

K. CITY VEHICLES: ANNUAL APPROVAL – EXEMPTION OF CERTAIN CITY VEHICLES FROM IDENTIFICATION MARKINGS

- (1) Report from City Manager MARCH22-04-144 CITY-WIDE
- (2) Resolution No. 19800 relating to city motor vehicles; pursuant to A.R.S. § 38-538.03(B), exempting certain city motor vehicles from the requirement of bearing the designation of the City of Tucson; making the exemptions effective on February 27, 2004, to continue through and including February 26, 2005; and declaring an emergency.

L. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE JEFFERSON PARK NEIGHBORHOOD REINVESTMENT PROGRAM

- (1) Report from City Manager MARCH22-04-146 W3
- (2) Resolution No. 19801 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement with Pima County for the Jefferson Park Neighborhood Reinvestment Program; and declaring an emergency.

M. PROFESSIONAL SERVICES CONTRACT AMENDMENTS: WITH LAW FIRMS FOR GOVERNMENT RELATED LEGAL SERVICES

- (1) Report from City Manager MARCH22-04-149 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

N. MEMORIAL: SUPPORTING TECHNICAL AMENDMENTS TO BROWNFIELDS APPLICATION

- (1) Report from City Manager MARCH22-04-150 CITY-WIDE

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

RECESS

MEETING WILL RECONVENE AT 6:00 P.M.

RECONVENE (6:00 P.M.)

ROLL CALL

7. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience."

8. PUBLIC HEARING: (Co9-82-80) CHEYENNE INVESTMENTS – NEBRASKA STREET, I-1 ZONING, ORDINANCE ADOPTION, AND CHANGE OF CONDITIONS

- (a) Report from City Manager MARCH22-04-148 W5

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

9. PUBLIC HEARING: ZONING (C9-98-08) WILMOT/INTERSTATE 10 PARTNERSHIP – INTERSTATE 10 C-2/SH TO C-2, TIME EXTENSION AND CHANGE OF PRELIMINARY DEVELOPMENT PLAN (CONTINUED FROM NOV. 24, 2003) ACCEPTANCE OF APPLICANT'S WITHDRAWAL OF REQUEST FOR TIME EXTENSION

- (a) Report from City Manager MARCH22-04-132 W4
- (b) Hearing on a request for a change of preliminary development plan and a five year time extension for property located southeast of the intersection of Wilmot Road and Interstate 10. The applicant is Linda Morales of the Planning Center, on behalf of Western Partners Tucson, LLC. The revised preliminary development plan is for 52,060 square feet of self storage on 3.7 acres, and 4.3 acres of RV storage in lieu of the previously approved manufactured home sales lot.
- (c) Acceptance of applicant's withdrawal of request for time extension.

On February 23, 2004, the applicant withdrew the time extension request. To complete the public record and formerly close the rezoning case Mayor and Council must reopen the hearing and accept the applicant's withdrawal of the time extension request.

10. PUBLIC HEARING: (SE-03-26) T-MOBILE – SPEEDWAY BOULEVARD, C-1 ZONING, SPECIAL EXCEPTION – APPEAL OF ZONING EXAMINER’S DECISION

- (a) Report from City Manager MARCH22-04-145 W2
- (b) Hearing on an appeal of the Zoning Examiner’s decision in special exception case SE-03-26 T-Mobile – Speedway Boulevard. The appeal has been filed by Bryan Poth, on behalf of the property owners, PSAC Development Partners.

The preliminary development plan is a new 45-foot tall cellular communications monopole with a three-sector array with two antennas per sector on a 3.31 acre C-1 zoned parcel located on the north side of Speedway Boulevard, approximately 400 feet west of Pantano Road.

The Zoning Examiner held a public hearing on this matter and on January 23, 2004, issued a decision to deny the special exception request. The City Manager recommends the Zoning Examiner’s decision be upheld and the appeal be denied.

11. ZONING: (C9-03-25) RINCON BAPTIST CHURCH – GOLF LINKS ROAD, RX-1 TO O-3, CITY MANAGER’S REPORT

- (a) Report from City Manager MARCH22-04-141 W4
- (b) Report from Zoning Examiner dated March 5, 2004.
- (c) This is a request to rezone approximately 1.58 acres from RX-1 (Suburban Low Density Residential) to O-3 (Mid-rise Office) zoning. Applicant: Gordon Vernon on behalf of Rincon Baptist Church.

The rezoning site is located on the south side of Golf Links Road, east of Prudence Road. The preliminary development plan proposes a new 11,923 square foot sanctuary, motor vehicle parking, an approximately 3,100 square foot addition to the existing sanctuary, and a 2,250 square foot play area.

The Zoning Examiner recommends approval of the O-3 zoning. The City Manager recommends approval of the O-3 zoning, subject to the following conditions:

- 1. A development plan in substantial compliance with the preliminary development plan dated September 9, 2003 and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.

2. Active outdoor uses such as play area, loading zones, dumpsters, and drop-off lanes shall be a minimum of 50 feet from any residential properties.
3. Outdoor field or sport lighting shall be full cut-off lighting and shall be shielded or hooded to keep glare and illumination from adjacent residential uses.
4. A 20-foot wide landscape buffer shall be installed along the eastern property boundary and along the southern property line adjacent to the future play area and shall include canopy trees placed at a maximum of every 25 feet on center, and shall include shrubs and ground cover. Along the south property line the width of the landscape border may be reduced to ten (10) feet south of the parking spaces and five (5) feet south of the PAAL.
5. Prior to a development plan approval, a five-foot high masonry wall shall be installed along the east and south property boundaries.
6. All new structures to be earth toned and single story in height.
7. The proposed sanctuary shall be a maximum height of 30 feet.
8. Hours of operation for outdoor recreational activities shall be from 7:00 A.M. to 10:00 P.M.
9. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
10. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
11. "Safe by Design" concepts shall be incorporated in the subdivision plat for review by the Tucson Police Department.

12. Dedication or verification of existence of right-of-way per the *Major Streets and Routes (MS&R) Plan* map, including applicable intersection widening, along the site frontages *abutting* Golf Links Road and Prudence Road as listed in the *MS&R Plan*.
13. Vehicular access points are prohibited within 200 feet of the centerline of Prudence Road and within 150 feet of the centerline of Golf Links Road.
14. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
15. The owner/developer shall dedicate 30-foot radius spandrels at abutting intersections of streets listed on the *Major Streets and Routes Plan* map.
16. Any curb cuts not used for vehicular access shall be closed.
17. Five years are allowed from the date of initial authorization to implement Code requirements and conditions of rezoning.

Six (6) written approvals and zero (0) written protests have been received.

A simple majority vote will be necessary to adopt an ordinance rezoning the subject property once the conditions of rezoning are met.

12. ZONING: (C9-03-19) JACOME – VALENCIA ROAD AND ALVERNON WAY, I-1 TO C-1, CITY MANAGER’S REPORT

- (a) Report from City Manager MARCH22-04-142 W5
- (b) Report from Zoning Examiner dated March 5, 2004.
- (c) This is a request to rezone approximately 15.2 acres from I-1 (Light Industrial) to C-1 (Low-intensity Commercial) zoning. Applicant: Carl Winters of Planning Resources, on behalf of the property owner, Henry Jacome of Val-Al Limited Partnership.

The rezoning site is located on the southwest corner of Valencia Road and Alvernon Way. The preliminary development plan proposes 119,000 square feet of retail uses.

The Zoning Examiner recommends approval of the C-1 zoning. The City Manager recommends approval of the C-1 zoning, subject to the following conditions:

1. A development plan for the commercial portion of the rezoning request in substantial compliance with the preliminary development plan dated October 7, 2003, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8. of the *Land Use Code*.
2. A fifty (50) foot wide landscaped corridor shall be provided along Rodeo Wash containing an eight (8) foot wide soft surface trail and a twelve (12) foot wide hard surface trail or as approved by City of Tucson Parks Department. Landscaping shall include trees, shrubs, groundcover, and accent plants.
3. No outdoor storage other than shopping cart storage.
4. All trash collection and loading areas should be screened from public streets and sidewalks, internal pedestrian walkways, or adjacent residential properties.
5. All exterior mechanical equipment should be screened from view of adjacent development and street frontages, and should be architecturally integrated into the overall design of buildings and development.
6. All walls visible from a public right-of-way, are to be graffiti-resistant and incorporate one or more visually appealing design treatments, such as: the use of two or more decorative materials like stucco, tile, stone, or brick; visually interesting design on the wall surface; varied wall alignments (jog, curve, notch, setback, etc.), and where appropriate, trees and shrubbery should be located in voids created by wall variations.
7. Signage is to be integrated into the overall design of the project.
8. Rear and side building façades shall be designed with attention to architectural character and detail comparable to the front facade, with consistent design treatment, including but not limited to, comparable color palette, signs, lighting, screen walls, rooflines, and materials. Building elevations shall be submitted with the development plans at the time of CDRC review.
9. The site shall have a maximum of three (3) access points from Valencia Road.
10. The site shall have a maximum of two (2) access points from Alvernon Way for that portion of the site to be zoned C-1.
11. The developer shall install a twelve (12) foot wide, continuous right turn lane along the entire length of the property that fronts Valencia Road.

12. The developer shall install a twelve (12) foot wide, continuous right turn lane along Alvernon Way for that portion of the site to be zoned C-1.
13. The developer shall add sufficient pavement to the west side of Alvernon Way and the south side of Valencia Road to accommodate a 5' bike lane along the entire frontage of the site.
14. The developer shall install a right turn/deceleration lane to both entrances to that portion of the site to be zoned R-1.
15. The developer shall install a continuous left turn lane for the southern entrance to the site to be zoned to R-1 and continue to the northern entrance to that portion of the site to be rezoned R-1.
16. An archaeological assessment and survey shall be performed by a qualified archaeologist before any grading or other ground modification takes place. If cultural features or remains are found, testing and data recovery shall be completed as needed. Copies of testing plans, testing reports, data recovery plans and final reports shall be submitted to and approved by the City Historic Preservation Office prior to construction work commencing. If, during construction, human remains and associated burial items are discovered, ground disturbing activities in the vicinity of the discovery will cease, the discovery site will be secured, and the Arizona State Museum will be immediately notified as required under A. R. S. 41-865.
17. "Safe by Design" concepts shall be incorporated in the development plan for review by the Tucson Police Department.
18. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
19. Five years are allowed from the date of initial authorization to implement all Code requirements and conditions of rezoning.

One (1) written approvals and zero (0) written protests have been received.

A simple majority vote will be necessary to adopt an ordinance rezoning the subject property once the conditions of rezoning are met.

13. REAL PROPERTY: VACATION AND SALE OF SURPLUS CITY-OWNED PROPERTY LOCATED NEAR SPEEDWAY BOULEVARD AND ALVERNON WAY TO CENTRES, INC.

- (a) Report from City Manager MARCH22-04-151 W6
- (b) Ordinance No. 9944 relating to real property; vacating and declaring certain City-owned property west of the southwest intersection of Speedway Boulevard and Alvernon Way, Tucson, Arizona, to be surplus, and authorizing and approving the sale thereof to Centres, Inc.; and declaring an emergency.

14. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR ACQUISITION OF PROPERTY FOR THE JULIAN WASH CULTURAL RESOURCE PARK (CONTINUED FROM THE MEETING OF MARCH 15, 2004)

- (a) Report from City Manager MARCH22-04-147 W1

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

15. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager MARCH22-04-128 CITY-WIDE

16. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, April 5, 2004, at 5:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.